

VINCENT JACOBO # 317117

P.O. Box 67

SAN BRUNO, CA. 94066

PLAINTIFF

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RICHARD W. WIERING  
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NORTHERN DISTRICT OF CALIFORNIA

IN PRO PER

United States District Court  
NORTHERN DISTRICT OF CALIFORNIA

VINCENT PRIMO JACOBO,  
PLAINTIFF,

} CASE #  
} 14-CV-05185-JSC.

Vs.

} "COURT-ORDERED  
} FIRST AMENDED  
} COMPLAINT"

SAN FRANCISCO SHERIFF  
DEPUTIES JONES, NEW  
GRAY, Lt. MINOR.  
DEFENDANTS.

To the HONORABLE JUDGE PRESIDING,  
PLAINTIFF, VINCENT JACOBO, RESPONDS TO THE  
COURT'S ORDER TO AMEND PLAINTIFF'S FIRST  
CIVIL RIGHTS COMPLAINT.

PLAINTIFF CONTENDS THAT SHERIFFS  
DEPT. EMPLOYEES, Lt. MINOR, DEPUTIES NEW,  
JONES AND GRAY USED EXCESSIVE FORCE

1 IN COMPLETE DISREGARD TO PLAINTIFF'S RIGHTS  
2 UNDER THE DUE PROCESS CLAUSE OF THE 14<sup>TH</sup>  
3 AMENDMENT THAT PROTECTS PLAINTIFF FROM THE  
4 USE OF FORCE THAT AMOUNTS TO PUNISHMENT.  
5 THESE EMPLOYEES ALSO ACTED UNDER COMPLETE  
6 DIS-REGARD TO PROCEDURES OR PROTOCOL WHEN  
7 DEALING WITH MAX CUSTODY (MR3-MR4) IN-  
8 MATES.

9 PLAINTIFF WAS IN COMPLETE COMPLIANCE  
10 DURING THE ENTIRE INCIDENT,

11 ON MARCH 8<sup>TH</sup> AT APPROX. 8:00 AM IN THE  
12 MORNING WHILE PILL CALL WAS BEING CONDUCTED  
13 PLAINTIFF GOT INTO A VERBAL ~~ARGUE~~ ARGUE-  
14 MENT WITH DEPUTY GOODEN WHO PLAINTIFF  
15 CALLED A "BITCH ASS SWITCH UP DEPUTY".  
16 DEPUTY GOODEN TOLD PLAINTIFF "OKAY, I'LL BE  
17 BACK". APPROX. 20-30 MINUTES LATER DEPUTY  
18 GOODEN CAME BACK TO E-TANK WITH ABOUT  
19 4 OR 5 DEPUTIES. PLAINTIFF WAS ORDERED  
20 TO "CUFF-UP" TO WHICH PLAINTIFF COM-  
21 PLIED. IT SHOULD BE NOTED THAT AT THE  
22 TIME OF THIS INCIDENT PLAINTIFF'S CUSTODY  
23 LEVEL WAS MR3, WHICH MEANS, WHEN EVER  
24 PLAINTIFF IS MOVED HE IS TO BE IN FULL  
25 RESTRAINT (BELLY CHAINS & LEG SHACKLES). NONE  
26 OF THESE PROCEDURES WERE FOLLOWED WHEN  
27 PLAINTIFF WAS ORDERED TO CUFF-UP. IMME-  
28 DIATELY AFTER PLAINTIFF WAS CUFFED-UP HE

1 WAS TAKEN OUT OF THE CELL AND ALL DEPUTIES  
2 STARTED HITTING PLAINTIFF, BENDING HIS  
3 ARMS, WRISTS, FINGERS, AND BACK TO EXTREME  
4 LEVELS UNTIL PLAINTIFF WAS SCREAMING  
5 IN PAIN.

6 AT THE SAME TIME OF THIS INCIDENT  
7 PLAINTIFF WAS REMOVED FROM E-TANK  
8 FOR NO APPARENT REASON AND WAS DRAGGED  
9 FROM E-TANK DOWN THE MAINLINE OUT TO  
10 INTERVIEW ROOM 1 AT POST #8.

11 PLAINTIFF SAT IN THIS ROOM AFTER  
12 BEING BEATEN UP FOR APPROX. 30 MINUTES.  
13 THEN LT. MINOR AND DEPUTIES JONES, NEU, &  
14 GRAY CAME INTO THE ROOM AND AGAIN THE  
15 BEATING STARTED. PLAINTIFF WAS THROWN ON  
16 THE FLOOR FACE DOWN AND HEAD BANGED  
17 ON THE CONCRETE FLOOR, ARMS, WRIST, THUMBS,  
18 ALL BENT TO THE LIMIT OF EXTREME PAIN UN-  
19 TIL PLAINTIFF STARTED SCREAMING. ALL THE  
20 WHILE DEPUTY NEU SAT ON PLAINTIFF'S BACK.  
21 CROSSED PLAINTIFF'S LEGS AND BENT THEM  
22 BACK UNTIL PLAINTIFF AGAIN SCREAMED IN  
23 PAIN. THEN LT. MINOR YELLED DRAG HIM  
24 DOWN THE MAINLINE. I WANT THE ENTIRE  
25 JAIL TO SEE THIS. PLAINTIFF WAS DRAGGED  
26 DOWN THE MAINLINE BY HIS EARS BY DEPUTY  
27 JONES WHO PLACED HIMSELF DIRECTLY IN FRONT  
28 OF PLAINTIFF AND JAMMED HIS THUMBS BEHIND

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1 PLAINTIFF'S EARS AND AT THE SAME TIME WAS  
2 KICKING PLAINTIFF IN THE CHEST, PLAINTIFF  
3 EARS WERE TWISTED UNTIL THEY STARTED BLEED-  
4 ING. JUST BEFORE PLAINTIFF WAS PUT BACK IN  
5 E-TANK DEPUTY NEW JUMPED UP IN THE  
6 AIR AND CAME DOWN WITH HIS ELBOW  
7 ON PLAINTIFF'S BACK. IT SHOULD BE NOTED  
8 THAT PLAINTIFF HAS A DOCUMENTED BAD BACK  
9 THAT IS BEING SEEN BY MEDICAL AT THIS  
10 TIME.

11 IT SHOULD ALSO BE NOTED THAT THERE  
12 WAS ABSOLUTELY NO REASON THAT PLAINTIFF  
13 WAS TAKEN OUT OF E-TANK AT THE TIME OF  
14 THIS INCIDENT. PROCEDURES WERE NOT FOL-  
15 LOWED AT ALL DURING THIS ENTIRE INCI-  
16 DENT AND MOVEMENT. ALL AD-SEG AND MAX  
17 CUSTODY INMATES ARE TO BE MOVED DOWN  
18 A-BLOCK COMING FROM THE BACK BLOCK. NO  
19 MAX INMATES SHOULD BE MOVED DIRECTLY  
20 DOWN THE MAINLINE.

21 PLAINTIFF WAS TAKEN OUT OF E-TANK  
22 AND DRAGGED TO INTERVIEW ROOM 1 AND  
23 BACK TO E-TANK FOR THE SOLE PURPOSE  
24 OF JUST ASSAULTING PLAINTIFF. THE ENTIRE  
25 INCIDENT SPEAKS FOR ITSELF. THE ONLY  
26 RULE VIOLATION REPORT PLAINTIFF RECEIVED  
27 WAS FOR DIS-RESPECTING A STAFF MEMBER.  
28 PLAINTIFF WAS NOT EXTRACTED FROM HIS

Cell and was in complete compliance throughout the entire incident.

In addition on 6-24-14 Plaintiff was ordered to move out of E-Tank to be placed on D-Block (Ad-SEG) and be cellmates with inmate Bing Luc. At the time we were being ordered, Plaintiff and inmate Luc were in an argument. Deputy Oliver left E-Tank. Approx. 20 minutes later Deputy Oliver returned and informed Plaintiff that he didn't have to move with inmate Luc but he still had to move with another inmate. Plaintiff refused. Sgt. Kessler then ordered Plaintiff to be placed into the safety cell. Under the San Francisco Sheriff's Dept. own policy and in accordance with the Title 15. The safety cells are not to be used for punishment purposes which is exactly what happen in this matter. Plaintiff was placed in the safety cell simply because he refused to move.

Respectfully Submitted,

DATE. 2-11-15

by Vincent Jacobo  
Plaintiff,  
VINCENT JACOBO

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